

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s):	Charles M. Schmeichel		
Serial No.:	09/122,874	Patent No.	5,906,407
Issued:	May 25, 1999	Customer No.	22,854
Docket:	A20-012-04-US		
Title:	Tonneau Cover Tension Adjuster Apparatus		

PETITION FOR RECONSIDERATION UNDER 1.378(e)

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The Decision mailed April 25, 2008 has been carefully reviewed and considered.

In the Decision, the petition filed under 37 CFR 1.378(c) was dismissed because the Office asserts in part that the petition lacks 1) payment of the appropriate maintenance fee and 2) payment of the surcharge set forth in 37 CFR 1.378(c). The Office states that the petition balance due is \$2,070.

Applicant is attaching a copy of the electronic Filing Receipt received after filing the Petition on September 27, 2007. As written on the top of the second page of the electronic Filing Receipt, the Office was authorized to charge and additional fees required under 37 CFR Sections 1.16 and 1.17. Applicant has reviewed the listed fees under these Sections and regretfully acknowledges that the required fees are not in listed in these categories. It was Applicant's understanding that all fees required for a response could be pre-authorized. In view of this error, we are now making payment of the necessary maintenance fees.

Submitted herewith is the required \$2,070 maintenance and surcharge fee, as well as the \$400 petition fee for reconsideration. Please charge any additionally required fees to the deposit account of the undersigned attorney's law firm, Deposit Account No. 13-4300. Thank you.

The Decision also notes that it is not apparent whether the person signing the statement of unintentional delay was in a position to have firsthand or direct knowledge of the facts and circumstances of the delay at issue. Nevertheless, such statement was treated as having been made as the result of a reasonable inquiry into the facts and circumstances of such delay. The undersigned confirms that the delay was unintentional and did review the facts and circumstances of the delay at issue.

The Office is respectfully urged to contact the undersigned attorney if there are any further matters standing in the way of granting of the above-identified Petition. The Office's consideration in this regard will be appreciated.

Respectfully submitted,

for the Applicants
by their attorneys,

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Date: May 9, 2008 By: /Robert C. Freed/
Robert C. Freed, Registration No. 32,569

Electronic Acknowledgement Receipt

EFS ID:	2251829					
Application Number:	09122874					
International Application Number:						
Confirmation Number:	4888					
Title of Invention:	TONNEAU COVER TENSION ADJUSTER APPARATUS					
First Named Inventor/Applicant Name:	CHARLES MILTON SCHMEICHEL					
Correspondence Address:	CURTIS V HARR - P O BOX 2842 - FARGO US -	ND	581082842			
Filer:	Robert Freed					
Filer Authorized By:						
Attorney Docket Number:	AGRI-009					
Receipt Date:	27-SEP-2007					
Filing Date:	27-JUL-1998					
Time Stamp:	17:24:23					
Application Type:	Utility under 35 USC 111(a)					

Payment information:

Submitted with Payment	yes
Payment was successfully received in RAM	\$750
RAM confirmation Number	2653

Deposit Account	134300
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows: Charge any Additional Fees required under 37 C.F.R. Section 1.16 and 1.17	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes) /Message Digest	Multi Part /.zip	Pages (if appl.)
1	Petition under 1.378(c)	Petition_under_37CFR1378_c.pdf	896337 e4a40b7ec603b5ecb0836d50afa99460 cf6ed7b	no	3

Warnings:

Information:

2	Fee Worksheet (PTO-06)	fee-info.pdf	8152 454c7a1e384f2523e4da60062310cb93 4b5d3ad3	no	2
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Warnings:

Information:

Total Files Size (in bytes): 904489

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.